

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIE STORNES,

Plaintiff,

Case No. 1:07cv739

v.

Hon. Robert J. Jonker

VAUGHN GUILD,

Defendant.

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on February 26, 2008, and a Revision to the Report and Recommendation was duly served on the parties on March 7, 2008. The time permitted for objections to the Report and Recommendation has elapsed, and no objections have been filed under 28 U.S.C. § 636(b)(1)(C). Accordingly,

IT IS ORDERED that the Report and Recommendation, together with its Revision, is APPROVED AND ADOPTED as the opinion of the court.

IT IS FURTHER ORDERED that the Defendant's motion for summary judgment on exhaustion (docket # 8) is DENIED. Defendant shall answer the complaint by April 16, 2008.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment on the merits (docket # 23) is DENIED without prejudice at this time. Defendant may renew the motion subject to whatever case schedule Magistrate Judge Brenneman establishes for the case.

/s/Robert J. Jonker
Robert J. Jonker
United States District Judge

Dated: March 27, 2008